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Attorneys for the Plaintiff
 HILDA L. SOLIS, Secretary of Labor
 UNITED STATES DEPARTMENT OF LABOR

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

HILDA L. SOLIS, Secretary of Labor,)	Civil Case No. C 08-4854 EMC
UNITED STATES DEPARTMENT OF LABOR,)	
)	
Plaintiff,)	REQUEST/STIPULATION OF
)	PARTIES TO CHANGE DATE AND
v.)	CONDUCT CASE MANAGEMENT
)	CONFERENCE BY TELEPHONE
ZENITH CAPITAL LLC, a California business)	
entity; RICK LANE TASKER, an individual;)	ORDER
MICHAEL GREGORY SMITH, an individual;)	
and MARTEL JED COOPER, an individual,)	
)	
Defendants.)	
)	

Pursuant to Local Rules 7-12 and 16-10, the parties hereby request that the Court reschedule the Case Management Conference for June 8, 2011 at 2:00 p.m. In addition, the parties request that the Court hold a telephonic Case Management Conference in this matter and permit all counsel to participate in the Case Management Conference by telephone. The Case Management Conference in this case is scheduled for June 1, 2011, at 1:30 p.m., in Courtroom C, 15th Floor, Phillip Burton Federal Building & United States Courthouse, 450 Golden Gate Avenue, San Francisco, California.

Counsel for the Secretary has a scheduling conflict with the June 1, 2011 date and all parties have agreed to reschedule the Case Management Conference to June 8, 2011, or as soon thereafter as the Court is available.

The Secretary and the defendants are using their best efforts to manage the costs of this litigation whenever possible, including the costs and expenses associated with travel. All counsel in this case are located outside the San Francisco area; counsel for the Secretary is located in Washington, D.C. and counsel for defendants' Zenith Capital, Cooper and Smith are located in San Diego, California. Defendant Tasker is appearing *in pro se* in this matter and is located in Santa Rosa, California.

Allowing the Case Management Conference to proceed by telephone would allow all parties to avoid the expenses associated with their attorneys traveling to San Francisco for the Case Management Conference. Counsel for the Secretary would be happy to undertake the necessary arrangements for a telephonic Case Management Conference should the Court grant the parties' request.

Dated: May 16, 2011

By: /s/ Wayne R. Berry

Attorney signing

WAYNE R. BERRY
ROBIN SPRINGBERG PARRY
Attorneys for Plaintiff
HILDA L. SOLIS, Secretary of Labor,
UNITED STATES DEPARTMENT OF LABOR

Dated: May 13, 2011

By: /s/ Douglas A. Dubé

Attorney signing

A. DANIEL BACALSKI, JR.
DOUGLAS A. DUBÉ
Attorneys for Defendants
ZENITH CAPITAL, LLC, MICHAEL GREGORY
SMITH, and MARTEL JED COOPER

1
2 Dated: May 13, 2011

By: /s/ Peta L. Hallisey
3 Attorney signing

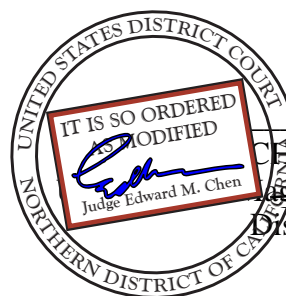
4 PETA L. HALLISEY
5 Attorney for Defendants
6 MICHAEL GREGORY SMITH, and
7 MARTEL JED COOPER

8
9
10 Dated: May 13, 2011

By: /s/ Rick L. Tasker
11 RICK LANE TASKER, *In Pro Se*

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18 **IT IS SO ORDERED.** A joint CMC statement shall be filed by May 25, 2011.

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20 Date: May 17, 2011



CHEN
Magistrate Judge
District

CERTIFICATE OF SERVICE

I hereby certify that on May 16, 2011 a copy of the foregoing Request/Stipulation by Parties to Change Date and Conduct Case Management Conference by Telephone and [Proposed] Order was filed electronically. Pursuant to General Order No. 45, Section IX.A, notice of this filing will be sent to all parties, except *In Pro Se* Defendant Rick Lane Tasker, via the Court's electronic filing system. A copy of the foregoing will be served on *In Pro Se* Defendant Rick Lane Tasker by email. Parties, except *In Pro Se* Defendant Tasker, may access this filing through the Court's electronic filing system.

/s/ Wayne R. Berry

WAYNE R. BERRY
Senior Trial Attorney